

facsimile

TRANSMITTAL

Date: September 15, 2003

No. of Pages: 5 (including this cover sheet)

Fax No.: 703-308-7724

PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY TO:

Name: Commissioner of Patents

Art Unit: 2882

Examiner: George Y. Wang

Phone: 703-305-7242

From: Joel A. Kauth for David J. Bailey
Reg No. 41,886

Re: Application No. 09/547,790
Filed April 12, 2000

Entitled SPATIALLY MODULATED INTERFEROMETER PRISM AND
SHEARING DEVICE THEREFOR

File: C766:39260/RAG

FAX RECEIVED

SEP 15 2003

TECHNOLOGY CENTER 2000

I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO
THE UNITED STATES PATENT AND TRADEMARK OFFICE ON September 15, 2003.


Mary L. Morley

*Correspondence:

Request for Continued Examination (RCE) Transmittal (3 pages);
Petition for Extension of Time (1 page)

F r Office Services Use Only
R turn to Mary L. Morley

Christie, Parker & Hale, LLP
350 West Colorado Boulevard
Post Office Box 7068
Pasadena, CA 91109-7068
626-795-9900
Fax: 626-577-8800

confidential

The information in this transmission is confidential and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone collect, and return the original message to us at the above address via U.S. mail. We will reimburse you for postage. Thank you.

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

*I hereby certify that this correspondence is being facsimile transmitted to the United States
Patent and Trademark Office on September 15, 2003.*

FAX RECEIVED

Mary L. Morley
Mary L. Morley

SEP 15 2003

TECHNOLOGY CENTER 2800

Application Number : 09/547,790
Filing Date : April 12, 2000
Inventor(s) : Francis M. Reininger
Title : SPATIALLY MODULATED INTERFEROMETER PRISM AND BEAM
SHEARING DEVICE THEREFOR

Group Art Unit : 2882
Examiner Name : George Y. Wang
Docket No. : 39260/RAG/C766

Date: September 15, 2003

MAIL TO: Mail Stop RCE

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:

- a. ☒ Pending (no review proceedings active)
- (1) ☐ An Action was mailed by the Office on , as to which no appeal under 37 CFR § 1.191 has been filed and
- ☒ a response under 37 CFR § 1.116 was mailed on June 5, 2003
- ☐ via Express Mail
- ☒ with certificate of mailing under 37 CFR § 1.8
- ☒ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- ☐ an appeal or civil action under 35 U.S.C. 141, 145 or 146 has been terminated
- (2) ☐ Allowed: the Notice of Allowance was mailed by the Office on
- ☐ the Issue Fee has not been paid
- ☐ the Issue Fee has been paid and a petition under 37 CFR § 1.313 was granted on
- b. ☐ Pending (with review proceeding active)
- An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

2. SUBMISSION(S) REQUIRED (check at least one)

- a. Previously submitted
- ☒ Consider the amendments/reply under 37 CFR § 1.116 previously filed on June 5, 2003
- ☐ Consider the arguments in the Appeal or Reply Brief previously filed on

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Application No. 09/547,790

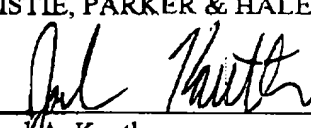
- _____ Other:
b. ☐ Enclosed
_____ Amendment/Reply
_____ Affidavit(s)/Declaration(s)
_____ Information Disclosure Statement
_____ Documents under 37 CFR § 1.48
☒ Petition for Extension of Time
_____ Other:

Please address all correspondence to **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By _____


Joe A. Kauth
Reg. No. 41,886
626/795-9900

DJB/mlm

FAX RECEIVED

SEP 15 2003

TECHNOLOGY CENTER 2000

**REQUEST FOR CONTINUED EXAMINATION (RCE)
FEE CALCULATION SHEET**

Application No. 09/547,790

PART I — BASIC FEE

BASIC FEE	Small Entity \$375.00	Large Entity \$750.00	\$375
-----------	--------------------------	--------------------------	-------

PART II — ADDITIONAL CLAIMS (compared to application before RCE)

	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	34	*35		x \$9.00	x \$18.00	
Independent Claims	8	**8		x \$42.00	x \$84.00	
First Presentation of Multiple Dependent Claim				\$140.00	\$280.00	
TOTAL CLAIMS FEE						\$
List Independent Claims: 6, 12, 13, 23, 24, 33, 34, 35						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE. ** IF THE HIGHEST NUMBER PREVIOUSLY PAID OR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES *(The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)*
- Amount (total from Fee Calculation Sheet) \$375.00
 - X The Commissioner is hereby authorized to charge the \$375.00 fee under 37 CFR 1.16 and 1.17 required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

MLM [RV1069643.1]-*-09/15/03 5:01 PM

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PETITION FOR EXTENSION OF TIME
FROM THE OFFICE ACTION**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on September 15, 2003.


Mary L. Merley

Applicant : Francis M. Reininger
Application No. : 09/547,790
Filed : April 12, 2000
Title : SPATIALLY MODULATED INTERFEROMETER PRISM AND BEAM
SHEARING DEVICE THEREFOR
Grp./Div. : 2882
Examiner : George Y. Wang
Docket No. : 39260/RAG/C766

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
September 15, 2003


Commissioner:

Applicant petitions the Commissioner to extend the time for response to the Office action dated March 14, 2003 for three (3) months from June 14, 2003 to September 14, 2003. The fee for extension of time required by 37 CFR § 1.17 is calculated below.

CALCULATION OF FEE			
LENGTH OF EXTENSION	SMALL ENTITY	LARGE ENTITY	FEE
WITHIN FIRST MONTH	\$ 55	\$110	\$
WITHIN SECOND MONTH	\$205	\$410	\$
WITHIN THIRD MONTH	\$465	\$930	\$465
WITHIN FOURTH MONTH	\$725	\$1450	\$
WITHIN FIFTH MONTH	\$985	\$1970	\$

The Commissioner is hereby authorized to charge the \$465 fee under 37 CFR 1.16 and 1.17 required by this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Joe A. Kauth
Reg. No. 41,886
628/795-9900

DJB/mlm
MLM IRV1069645 1.-09/15/03 5:08 PM